

10/10/04

Notice of Allowability	Application No.	Applicant(s)
	10/065,975	HABETLER, THOMAS G.
	Examiner Ronald W Leja	Art Unit 2836

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to amendment of 5/19/2004.
2. The allowed claim(s) is/are 1-23.
3. The drawings filed on 05 December 2002 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.


Ronald W. Leja
Primary Examiner
Art Unit: 2836

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The following is an Examiner's Statement of Reasons for Allowance: Applicant's arguments of 5/19/2004 have been carefully considered and deemed persuasive. Specifically those arguments appearing in the 2nd and 3rd paragraphs found on Page 6 of the Response, have been carefully considered in view of Lang et al. (5,521,482), which was relied upon in the previous art rejections of Independent Claims 1 and 23. The Examiner agrees that system conditions and electrical signatures are different for "start-up" and "in operation". The Examiner has found another Reference, Leon et al. (5,519,300), which contains many of the same Figures found in the Lang et al. Reference, but does not appear to discuss analysis at "start-up". A careful comparison of the two References (having same assignee and one common inventor), yields that much of the Specification of Leon et al. is identical to that of Lang et al., except for the added passages referring to "start-up" and except for the text drawn to Figures 7A-10B found only in Lang et al.. It is the opinion of the Examiner that both Lang et al. and Leon et al. are drawn to the gathering of voltage and current samples, which could be used to determine reactive power indicators, during a "start-up" time and prior to "steady-state" condition, and as such, do not anticipate nor suggest the claimed combinations found in the Independent Claims being limited to (i.e. Claim 1) "simultaneously sampling voltage and current data of an induction machine in operation" (emphasis added), determining an indicator of reactive power and then determining an internal motor

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fault from the indicator. Reasons for Allowability of the remaining Claims can be found in the Office Action of 3/18/2004.

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald W Leja whose telephone number is (571)272-2053. The examiner can normally be reached on Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (571)272-2800. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Ronald W Leja
Primary Examiner
Art Unit 2836

rwl
August 3, 2004

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